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The Cambourne to Cambridge Order

Cambridgeshire County Council

Transport and Works Act 1992

Transport and Works (Inquiries Procedure) Rules 2004

Inquiry into:

THE CAMBOURNE TO CAMBRIDGE ORDER

REBUTTAL IN RELATION TO BUILT HERITAGE

of

Thomas Wilson BSc (Hons), MA, MSc, MCIfA, FSA, IHBC

of WSP

On behalf of Cambridgeshire County Council

09 September 2025

Planning Inspectorate Reference: DPI/E0535/25/1

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1. INTRODUCTION

1.1.1 This rebuttal has been prepared in response to the following Proofs of Evidence in relation to heritage matters:

- Ms. Fiona Lamb **[CD26-08-W5-1]**
- Professor Alan Short **[CD26-08-W1-1]**
- Mr. Kamran Haider **[CD26-08-W2-1]**
- Mr. Jonathan Blacklock **[CD26-08-W4-1]**
- Coton Orchard Ltd, Crest Properties Ltd and Ms. Anna Gazeley **[CD26-02 OBJ-52]**

1.1.2 My name is Thomas Wilson. I am an Associate Director in the Cultural Heritage and Archaeology Team at WSP. Details of my qualifications, professional career and key project experience are contained in my Proof of Evidence **[CD26-01-APP-W2-1]**.

1.1.3 This rebuttal has been prepared with the expectation that it will assist the Inspectors with consideration of the issues raised.

1.1.4 The fact that a point has not been responded to should not be taken as indicating that it is accepted.

2. REBUTTALS

2.1 Rebuttal of Ms. Lamb's Proof of Evidence

Setting of Clare Hall

2.1.1 Ms. Lamb states that Clare Hall possesses, "*Landscaped setbacks on both the north and south elevations*" **[CD26-08-W5-1, paragraph 5.2.1, p. 11; cf. paragraph 5.8.1, p. 18]**. I agree that the north elevation to Herschel Road is set back from the property boundary with formal planting areas. However, in my view this is not the case for the south elevation, which is separated from the property boundary only by the narrow 'canal' or drainage feature that marks the boundary. While there is a verge between the building and the metaled surface of Rifle Range Road, this is outside the property and therefore no more a part of Erskine's design than the pavement separating the north side of the building from Herschel Road.

2.1.2 Ms. Lamb describes the land to the south of Clare Hall as a "*quieter, rural landscape*" **[CD26-08-W5-1, paragraph 5.2.1, p. 11]**. I disagree with this statement in two ways. First, regarding noise, it should be noted that although Herschel Road is usually less quiet than Rifle Range Road it is also a quiet environment, and it does not experience the intermittent noise of the rugby club. Second, the landscape to the south is developed as an amenity green space with suburban development beyond, albeit with land plots of more rural character in distant view further to the south-east. That does not equate to a landscape that is 'rural', which the Oxford Dictionary of English defines as, "*in, relating to, or characteristic of the countryside rather than the town*".

Views to and from Clare Hall

2.1.3 Ms. Lamb describes the views from Clare Hall southwards over the rugby ground as being "*expansive*" **[CD26-08-W5-1, paragraph 5.2.1, p. 11]**. I disagree with this because there are no views south from Clare Hall that are not narrowed by intervening buildings or vegetation. As I stated in my Proof of Evidence **[CD26-01-APP-W2-1, paragraph 4.5.7, pp. 28-29]**, the views south from Clare Hall are screened partly or wholly (depending on the viewpoint) by other blocks of the complex or, in the case of the ground floor views from the south elevation, look out onto the rugby ground fence and north stand. In some cases, the views south are also filtered by the presence of trees, including the mature trees along Rile Range Road to the south-west of Clare Hall and the line of immature trees immediately to the south of the building. As a result, only partial views of the surrounding landscape are perceptible from any viewpoint.

2.1.4 Ms. Lamb states that the view of Clare Hall from the south is also "*expansive*", and that "*the entire designed complex can be read and understood from many different vantage points*" **[CD26-08-W5-1, paragraph 5.2.2 and cf. Figure 6, p. 12]**. I disagree with this characterisation of those views as being expansive and encompassing the entire complex. There is no viewpoint from the south where the whole complex can be experienced. Ms. Lamb provides a view of Clare Hall from the south, which by virtue of its elevated position should be considered the most advantageous viewpoint from which to observe Clare Hall, because ground-level viewpoints would include less of the roofs' area and would be blocked to a greater extent by the boundary fence and north stand. In that most advantageous, elevated view, two of the three blocks of the listed building are obscured by the north stand, meaning that the view does not equate to an "*expansive*" view of the "*entire designed complex*".

2.1.5 Ms. Lamb states correctly that the ground floor study rooms and meeting room on the south elevation have views out across Rifle Range Road **[CD26-08-W5-1, paragraph 5.7.1, p. 17]**; however, it should be noted that these views only extend as far as the wooden fence on the other side of the road (a distance of less than 15 metres), and do not encompass the wider landscape.

2.1.6 Ms. Lamb states that viewpoints from the west elevation of the west block, "*enjoy far reaching views looking west along Rifle Range Road and beyond*", providing as evidence a photograph from what appears to be the southernmost balcony, taken during winter **[CD26-08-W5-1, paragraph 5.7.1 and Figure 21, pp. 17-18]**. I agree that from that viewpoint, the wider, distant landscape to the east is visible; however, the Brian Pippard Building blocks the view so that probably no more than 150m of Rifle Range Road is visible in the foreground. That 150m is the greatest extent of the CtoC Scheme route and the passage of the buses that would be visible. Balconies further north than the view presented in Figure 21 include less of the wider landscape, and would include less of the bus route, due to a progressively greater degree of screening by the Brian Pippard Building **[CD26-01-APP-W2-1, paragraph 4.7.3, p. 32]**.

Design of Clare Hall

2.1.7 Ms. Lamb states that, "*the main meeting room, six study rooms, and bedrooms – were **deliberately** placed by Erskine along the southern boundary to benefit from the tranquil outlook onto Rifle Range Road, ideal for rest and concentrated study*" **[CD26-08-W5-1, paragraph 5.4.3, p. 14,** emphasis as quoted**]**. Ms. Lamb then quotes Eskine, where he states that those rooms are, "*grouped around an enclosed court to form an enclave for concentration*" **[CD26-08-W5-1, paragraph 5.4.4, p. 15]**. I disagree with Ms. Lamb's view that the relationship with the southern boundary and Rifle Range Road was the deliberate reason for those rooms' location because, as that quotation demonstrates, it is the inward focus towards the Study Court that was deliberately designed. Furthermore, I disagree with the statement that bedrooms were placed adjacent to Rifle Range Road because of its perceived *"tranquil outlook*" because Erskine placed bedrooms on three sides, and the only side not containing bedrooms is in fact the most tranquil: looking east into Fellows' Garden. Furthermore, study rooms are also located on three sides of the listed building, the residential terrace to the west being the exception. While not as clearly unrelated to Rifle Range Road, I see no evidence to indicate that Erskine's intentional placement of the study rooms differs from that stated in Ms. Lambs own evidence, i.e. that they are grouped around the enclosed Study Court.

2.1.8 Ms. Lamb states that Clare Hall was designed to be, and is, permeable in contrast with traditional colleges **[CD26-08-W5-1, paragraph 5.5.1, p. 16]**. I agree, in general terms, with that statement; however, I would emphasise that the college is nonetheless experienced from within as a series of sheltered, enclosed spaces **[CD26-01-APP-W2-1, paragraph 4.5.6, p. 28]**. This arrangement is permeable in that it permits pedestrian movement, but that does not mean that there are open views out of those enclosed spaces **[CD26-01-APP-W2-1, paragraphs 4.3.5 and 4.5.7, pp. 22-23 and 28]**.

Curtilage of Clare Hall

2.1.9 Ms. Lamb correctly identifies the "*external water moat/channel*" (described as a 'canal' in the List Description) as running along the site boundary **[CD26-08-W5-1, paragraph 5.6.1, p. 16, and paragraph 7.1.6, p. 26]**. Clare Hall have also identified this location as the site boundary in their Statement of Case **[CD23-17 OBJ-213, e.g. paragraph 7.12 (b), p. 16]**. This indicates, correctly, that the three paths between Clare Hall and the metalled surface of Rifle Range Road are outside the listed building, as explained in my Proof of Evidence **[CD26-01-APP-W2-1, paragraphs 4.6.2 – 4.6.8, pp. 30-31]**.

Description of the CtoC Scheme

2.1.10 Ms. Lamb states that the cross-section drawing 'Section 17' in the application **[CD1-16.05, Section 17, p. 7]** "***does not show the correct*** *relationship between the listed buildings of Clare Hall and the red line boundary*" **[CD26-08-W5-1, paragraph 6.1.2, p. 20,** emphasis as quoted**]**. As explained in my Proof of Evidence **[CD26-01-APP-W2-1, paragraph 6.4.8, p. 70]**, Section 17 in fact depicts a cross-section of the CtoC Scheme adjacent to the Anthony Low Building, which is located to the east of the listed building rather than adjacent to it.

2.1.11 Ms Lamb states that the proposed site plan **[CD1-16.04, p. 19]** indicates that the original water channel, rainwater spouts, and the three bridges are within the CtoC Scheme order limits **[CD26-08-W5-1, paragraph 6.1.3, p. 21]**. The three bridges and the rainwater spouts are outside the order limits. In addition, as explained in my Proof of Evidence, the section of the water channel (or 'canal') that runs west of the entrance to Family Walk is within the order limits, but is not original, while the section of the canal that runs east from that entrance is original but is outside the order limits **[CD26-01-APP-W2-1, paragraphs 4.2.16 and 4.6.5 – 4.6.8, pp. 19 and 31]**.

2.1.12 Ms. Lamb states that because a cross-section drawing located at an access point into Clare Hall is not dimensioned, "*it is difficult to assess the impact the proposed emergency and maintenance access track works will have on the existing original paths, bridges and water features*" **[CD26-08-W5-1, paragraph 6.1.5 and Figure 30, pp. 21-22]**. The cross-section is labelled as indicative because it reflects an outline design. The design will be refined during later design stages, in line with the final Order and Environmental Statement. While the Order allows for some deviation, constraints along Rifle Range Road restrict the scope for change to minor adjustments such as change to carriageway levels to ensure proper tie-in and maintain acceptable gradients for footway access into Clare Hall. The bridges and "*water features*" would not be physically impacted by the CtoC Scheme **[CD26-01-APP-W2-1, paragraph 6.1.53, p. 63]**.

Environmental Impact Assessment

2.1.13 Ms. Lamb notes that the Environmental Statement reported that the windows to the south elevation, "*are small and frosted/obscured and offer limited views south towards the scheme*", and states that this incorrect **[CD26-08-W5-1, paragraph 6.1.11, p. 24]**. My Proof of Evidence discusses that one of the windows is frosted, while many of the others are mirrored **[CD26-01-APP-W2-1, paragraph 6.1.51, p. 63]**. This is a minor error in drafting of the original Environmental Statement, and does not have any bearing on the robustness or the conclusion of the assessment of harm that was carried out. It is correct that the windows on the south elevation are in general small, with the exception of the long, low window into the meeting room. The Environmental Statement is correct that all of the south elevation windows offer limited views south, because the ground floor windows look no further than the rugby ground fence and the only first floor window is the aforementioned frosted glass window on the west block.

2.1.14 Ms. Lamb notes that a visit to the inside of Clare Hall was not undertaken during the Environmental Impact Assessment, stating that, "*Without gaining access inside Clare Hall, it would have also been impossible to assess the impact of the C2C scheme on the views out*…" **[CD26-08-W5-1, paragraphs 7.1.3 and 7.1.5, p. 25]**. It is not standard practice during Environmental Impact Assessments to gain access to all listed buildings that may be affected, and to do so is not necessary in order to produce a robust assessment of the setting. Such a requirement would not be reasonable or proportionate, given that huge numbers of listed buildings are considered for some schemes. It would also not be achievable as many listed buildings are in private ownership and permission may not be granted. Access may be sought if impacts are expected to be high or if specific issues have been raised by stakeholders, as is the case for Clare Hall. In response to Clare Hall's Statement of Case **[CD23-17 OBJ-213]**, dated 11th April 2025, a request to Clare Hall was made to come onto their land so that views out could be experienced. A site visit was kindly arranged that took place on 10th June 2025.

Listed Building Consent

2.1.15 Ms. Lamb states that the "*rainwater spouts, moat/channel and 3 paths connecting Clare Hall to Rifle Range Road… should be considered as part of the listing*", and that alteration of these features would require Listed Building Consent **[CD26-08-W5-1, paragraph 7.2.2, p. 26]**. The rainwater spouts and moat/channel (or 'canal') would not be physically harmed by the CtoC Scheme, so no Listed Building Consent in relation to

them would be required **[CD26-01-APP-W2-1, paragraph 6.1.12, p. 55]**. The three paths are not part of the listed building, so no Listed Building Consent in relation to them would be required **[CD26-01-APP-W2-1, paragraphs 6.1.13 – 6.1.15, pp. 55-56]**. Furthermore, Ms. Lamb notes that, "*the paths can be described as surface treatments*" **[CD26-08-W5-1, paragraph 7.3.4, p. 26]**, in which case they are not objects or structures, which means that even if they were within the curtilage of the listed building, Listed Building Consent would not be required.

2.1.16 In a section entitled "*Impact on the setting of Clare Hall*", Ms. Lamb cites Historic England's setting guidance **[CD9-42]** and states that, "*As such, any alterations to these pathways would require Listed Building Consent, as they are integral to the overall significance and character of Clare Hall*" **[CD26-08-W5-1, paragraph 7.3.5, p. 27]**. The Planning (Listed Buildings and Conservation Areas) Act 1990 is clear that Listed Building Consent is required for works to listed buildings, including objects or structures fixed to them or in their curtilage **[CD5-28, p. 10, Section 7(1), and p. 3, Section 1(5)]**, but there is no requirement for Listed Building Consent for works outside the curtilage but within the setting.

2.1.17 Ms. Lamb refers to listed buildings as having a "*protected setting*" **[CD26-08-W5-1, paragraph 7.3.5, p. 27]**. Although the requirement for 'special regard' for preservation applies to setting, the protection of listed status and requirement for Listed Building Consent does not **[CD5-28, p. 89, Section 66(1), p. 3, Section 1(5), and p. 10, Section 7(1)]**.

2.1.18 Historic England were consulted throughout the assessment process **[CD26-01-APP-W2-1, paragraph 3.2.1, p. 14]**, commented on the Transport and Work Act Order application for the CtoC Scheme **[CD2 REP-08.1, pp. 1-2]**, and also in a letter to the Inspectors on 8th August 2025 **[CD2 REP-08.2]**. Historic England have raised no objection to the proposed CtoC Scheme, and have not notified the Applicant of any possible requirement for Listed Building Consent at any stage **[cf. CD26-01-APP-W2-1, paragraphs 3.2.2 – 3.2.4, pp. 14-15]**.

Degree of harm to Clare Hall

2.1.19 Ms. Lamb's assessment of the degree of harm to Clare Hall listed building is based on several incorrect positions. The assessment includes consideration of physical alterations to "*features of the listed building*" **[CD26-08-W5-1, Section 7.2, p. 26]** that are not part of the designation (, i.e. the paths, see paragraph 2.1.15 above). The assessment of impact on the building's setting **[CD26-08-W5-1, Section 7.3, pp. 26-27]** does not follow Historic England's approach **[CD9-42, cf. paragraph 19, p. 12]** and in consequence lacks the levels of detail or justification provided in my Proof of Evidence **[CD26-01-APP-W2-1, paragraphs 4.7.3 – 4.7.27, pp. 32-36]**. The assessment includes consideration of the use of Clare Hall that incorrectly conflates "*use for academic purposes*" and "*privacy and amenity*" with heritage significance **[CD26-08-W5-1, paragraphs 7.4.3 and 7.4.7, p. 28]**. Amenity value is not a contributor to significance, as defined by the NPPF **[CD8-01, p. 78]** or the PPG **[CD8-35, Paragraph: 006 Reference ID: 18a-006-20190723, pp. 5-6]**, although harm to significance and loss of amenity may both result from the same source such as a loss of tranquillity, as I explained in my Proof of Evidence **[cf. CD26-01-APP-W2-1, paragraph 6.1.25, p. 56]**.

2.1.20 Ms. Lamb concludes that the CtoC Scheme would result in, "*less than substantial harm at the higher end of that spectrum, as defined by the National Planning Policy Framework (2023)*" **[CD26-08-W5-1, paragraph 8.2.5, p. 30]**. That assessment differs from my own assessment that the harm would be towards the bottom end of the range of 'less than substantial', which I have explained in my Proof of Evidence **[CD26-01-APP-W2-1, paragraphs 4.7.24 – 4.7.27, pp. 35-36]**.

2.2 Rebuttal of Professor Short's Proof of Evidence

Circumstances of the designation

2.2.1 Professor Short states that, "*The process of listing Ralph Erskine's Main Buildings as Grade 2* was accelerated by the Secretary of State as the Statement indicates, to ward off the threat of a busway skimming the entire South front*" **[CD26-08-W1-1, paragraph 4.1, p. 13]**. It is unclear what 'Statement' this refers to; however, the 'Notice That A Building Has Become Listed' produced by Historic England on 7th September 2018 notes (under 'Context') that, "*The college have voiced concern about the potential impact of the proposed Cambourne to Cambridge dedicated busway*…" **[CD23-17 OBJ-213, p. 115]**. This does not mean that the Secretary of State "*accelerated*" that process, or that Historic England listed the building to "*ward off*" the CtoC Scheme.

Plans for future development

2.2.2 Professor Short outlines the college's plans for a new 358-seat auditorium for the staging of lectures, concerts and operas, which the college wishes to construct in Fellows' Garden **[CD26-08-W1-1, paragraphs 6.2.1 – 6.2.7, Figure 4 and Footnote 9, pp. 20-24]**. Although the design for this new building is at an early stage, the illustration demonstrates that the height of such a structure would be notably greater than the two adjacent listed buildings (i.e. 'Elmside including boundary wall and gate' and Clare Hall). The proposed design is entirely out of character with either building. Although detailed design might achieve an acceptable conjunction between the modern and late Victorian styles to east and west, creation of a new structure of such scale and massing that did not result in harm would be a challenge. There would also be considerations such as the greatly increased visitor numbers occasioned by such a facility, and the regular addition of considerable noise that would disturb the tranquillity of Clare Hall's setting **[cf. CD26-01-APP-W2-1, paragraphs 4.5.11-4.5.13, pp. 29-30]**, whether or not any individual found that noise to be pleasing. Any resulting harm would be much harder to reduce or eliminate through design than the presence of the structure, as noise and visitors are consequences of the intended function of the proposal.

2.2.3 There is inadequate information on which to carry out an assessment of the level of harm that may accrue from an auditorium as outlined by Professor Short; however, in common with the CtoC Scheme, it is likely that some residual harm would be caused that would have to be weighed against public benefit, in accordance with the NPPF **[CD8-01, paragraphs 213-215, p. 61]**. It is also likely that Listed Building Consent would also be required as the work would affect structures within the listed building's curtilage. It cannot therefore be assumed that consent for such an auditorium would be granted, and the harm to listed buildings and their settings, and to the conservation area, would be included in the issues for the decision-making authority to consider.

Assessment of harm

2.2.4 Professor Short states that Clare Hall would be "*very adversely impacted*" **[CD26-08-W1-1, paragraph 7.2.1, p. 34]** and that "*significant harm*" would take place **[CD26-08-W1-1, paragraph 10.4, p. 53]**. Professor Short's terminology does not follow that used in the NPPF **[CD8-01, paragraphs 202-221, pp. 59-62]**, or in the Environmental Statement's methodology **[CD1-11.07.02, Section 3, pp. 13-15]**, which was agreed with stakeholders at Scoping stage **[CD1-10.05, Chapter 10, pp. 126-139]**. The method used by Professor Short when reaching his assessment of impact is unclear and unsubstantiated.

2.2.5 Professor Short states that the setting of Elmside Grade II listed building would be harmed by "*vertical concrete retaining structures and concrete bridge"* **[CD26-08-W1-1, paragraph 7.2.17, p. 37]**. The CtoC Scheme does not include construction of any concrete retaining structures or bridges within Elmside's setting. In that paragraph and

subsequently **[CD26-08-W1-1, paragraph 7.2.20, p. 38]**, Professor Short also states that Leslie Barnett House on Herschell Road is listed at Grade II. Leslie Barnett House is not statutorily designated as a listed building.

Environmental Impact Assessment

2.2.6 Professor Short states that, "*there is no regard for the setting of the heritage assets* **[CD26-08-W1-1, paragraph 7.2.1, p. 34]**. The applicant has carried out an assessment of the impact of the CtoC Scheme on the significance of Clare Hall, which included regard for its setting **[cf. CD26-01-APP-W2-1, paragraph 6.1.2, p. 53]**. In response to the College's objection, further details of that assessment have been provided in my Proof of Evidence **[cf. CD26-01-APP-W2-1, Section 4, pp. 16-36]**.

2.2.7 Professor Short states that the contribution of setting to the significance of Clare Hall was not fully understood **[CD26-08-W1-1, paragraph 7.2.17, p. 37]**. The setting and significance of Clare Hall was assessed in accordance with the requirements of the NPPF, as explained in my Proof of Evidence **[CD26-01-APP-W2-1, paragraphs 6.1.2 – 6.1.4, p. 53]**.

2.2.8 Professor Short's asserts that, "*as Avanti shows, some of the applicant's statements and drawn evidence was highly misleading*" **[CD26-08-W1-1, paragraph 7.2.17, p. 37]**. The reference to "*statements*" is presumed to be the description in the Environmental Statement of some window treatments, which is raised again in a subsequent paragraph **[CD26-08-W1-1, paragraph 7.2.19, p.39]** in which Professor Short concedes that one window is frosted while others are mirrored. I have discussed these windows in paragraph 2.1.13 above. Professor Short's reference to "*drawn evidence*" is presumed to be a reference to the College and its experts' misinterpretation of technical drawings (which Professor Short repeats at [**CD26-08-W1-1, paragraph 7.2.22, pp. 38-39]**), as I have explained in paragraphs 2.1.10 to 2.1.12.

2.2.9 Professor Short repeats the statement that the Applicant cannot understand Clare Hall's significance and setting without entering the property **[CD26-08-W1-1, paragraph 7.2.17, p. 37]**. In paragraph 2.1.14 above, I addressed the fact that it is not necessary for the site visits carried out during the assessment to have included entry to the property.

2.2.10 Professor Short states that the Applicant did not visit Clare Hall to understand the impact on the listed building until June 2025 **[CD26-08-W1-1, paragraph 9.10, p. 52]**. Site visits by heritage specialists were carried out during preparation of the Environmental Statement on 22nd February 2022 **[CD1-11.07.2 Appendix TR7.1, paragraph 3.2.1, p. 13]**, and on 9th May and 10th June 2025 in preparation for the Public Inquiry. During the first two site visits, assessment of setting, significance and impact was undertaken from publicly accessible land, as is standard practice (see paragraph 2.1.14).

Listed Building Consent

2.2.11 Professor Short repeats Ms. Lamb's statement that work within the CtoC Scheme order limits would require Listed Building Consent **[CD26-08-W1-1, paragraph 7.2.18, p. 38].** I have discussed in paragraph 2.1.15 the reasons why no works would require Listed Building Consent. In paragraph 2.1.18, I point out that Historic England have been consulted during the assessment and in preparation for the Public Inquiry and made no statement that Listed Building Consent would be required.

2.3 Rebuttal of Mr. Haider's Proof of Evidence

INSET scoring

2.3.1 Mr. Haider has included heritage in his INSET scoring of the CtoC Scheme's route along Rifle Range Road and an alternative route that passes along Adams Road **[CD26-08-W2-1, Table 8.2, pp. 89-90]**. In that assessment, the Adams Road option is scored as 3, while the CtoC Scheme's route along Rifle Range Road is scored as 1, and the justification for these scores is that they are informed by Ms. Lamb's Proof of Evidence **[CD26-08-W5-1]**. However, Ms. Lamb's evidence makes no mention of Adams Road. The basis for this aspect of Mr Haider's INSET scoring is therefore unsubstantiated.

2.4 Rebuttal of Mr. Blacklock's Proof of Evidence

Effect on Clare Hall of acoustic screening

2.4.1 Mr Blacklock states that mitigation of noise impacts on Clare Hall would not be possible without "*dramatically altering the building structure*" **[CD26-08-W4-1, paragraph 12.15, p. 65]**, and without "*significantly altering the Grade II* Listed Building*" **[CD26-08-W4-1, paragraph 13.14, p. 67]**. The screening that Mr Blacklock has discussed in his Proof of Evidence would be a physical barrier of 6.19m in height, or "*a shorter acoustic barrier with a cantilevered top section*" **[CD26-08-W4-1, paragraph 13.13, pp. 66-67]**. Any barrier of that nature would necessarily stand outside the curtilage of the listed building; therefore, no alteration of the listed building would be required.

2.4.2 Mr Blacklock states that, "*The Applicant has not proposed any additional mitigation and has also therefore not assessed the impacts associated with providing such mitigation*" **[CD26-08-W4-1, paragraph 1.32, p. 8]**. Mr Toby Lewis' Proof of Evidence describes mitigation measures that could be adopted, which take the form of electric buses and restriction in bus movements during specific times of day. These are mitigation methods irrespective of whether or not they are physical interventions **[CD26-01-APP-W11-1, paragraphs 3.6.16 and 3.6.17, pp. 10-11]**.

2.5 Rebuttal of Coton Orchard Ltd, Crest Properties Ltd and Ms. Gazeley's Proof of Evidence

Former use by Jewish refugees

2.5.1 Coton Orchard Ltd, Crest Properties Ltd and Ms. Gazeley (hereafter: 'Coton Orchard') state in their Proof of Evidence that the orchard, "*provided shelter to Austrian Jews fleeing persecution*" **[CD26-02 OBJ-52, Section 3, p. 7, cf. Section 9, pp. 33-34]**. Coton Orchard do not claim that there are any physical remains of that activity. The sapling planted in commemoration is a modern installation, which memorialises events of the past but is not itself historic. The historical value that Coton Orchard identify in relation to Jewish refugees is derived from the orchard's association with local oral history, and that value is not reflected materially in the physical characteristics of the site. The CtoC Scheme would not result in any material change to these non-physical values or significance.

Heritage of the orchard

2.5.2 Coton Orchard state in their proof that the orchard holds "*significant historical value*" and attribute that assertion to two factors, which are an association with refugees (which I addressed in paragraph 2.5.1) and by virtue of being "*part of Cambridgeshire's rich fruit-growing heritage*" **[CD26-02 OBJ-52, Section 9, p. 33]**. Coton Orchard state that the CtoC Scheme "*would result in the irreparable loss of a key cultural and historical landmark*" **[CD26-02 OBJ-52, Section 9, p. 33]**. Colton Orchard is a fruit

orchard of the modern period and is not unique in terms of geography or cultural history. I do not regard the historic value that Coton Orchard have identified equals sufficient significance, as defined by the NPPF **[CD8-01, p. 78]**, for it to be regarded as a heritage asset. In addition, the CtoC Scheme would not result in the loss of Coton Orchard.

3. STATEMENT OF TRUTH

3.1.1 The rebuttal which I have prepared and provide is true and is given in accordance with the guidance of my professional institutions. I confirm that the opinions expressed are my true and professional opinions.